

Senate Indian Affairs Committee
Oversight Hearing on the Prevalence of and Solutions to Stopping
Violence Against Women in Indian Country

Thursday, September 27, 2007
628 Dirksen Senate Office Building

Statement Presented by Jami Rozell
Sexual Assault Survivor, Cherokee Nation

Mr. Chairman and members of the Committee, thank you for inviting me to testify today. I would like to submit my full testimony for the record.

My name is Jami Rozell and I am a Cherokee school teacher from Oklahoma.

I will always remember the date, Friday May 9th, 2003. I was twenty-one years old, in my hometown of Tahlequah Oklahoma and raped by a non Native man I had known since junior high.

I was accompanied that same night to the Indian Health Service hospital in Hastings, Oklahoma by my brother, who had called the city police. The Hastings hospital was not equipped to do rape exams, so we were then taken to the Tahlequah City hospital next door.

At the Tahlequah City hospital we waited a couple of hours for the Sexual Assault Nurse Examiner to arrive. The hospital had called an advocate from the local sexual assault service provider, Help-In-Crisis, to be there with me during the exam. The nurse finally arrived and so did the rest of my family. I know that I was fortunate to have my family and an advocate with me at this difficult and scary time. This is not the case for all Native American women going through an exam or police questioning. It was horribly uncomfortable to have a camera inside of me and I was grateful to have my family with me at the hospital. The nurse took photos of all the bruises, blisters and abrasions inside of me and kept my underwear as evidence. My mom asked the nurse if she could clearly tell that I had been raped and she told my mom I had definitely been raped. I bled for the next three days.

At the hospital, there had been a detective, a man that I had known my entire life through my family. He told me that I had up to seven years to decide if I wanted to press charges because the

city police had their own full police report, the nurse's exam with the photos and all the evidence. The detective told my dad that if his own daughter had been raped, he wouldn't press charges. The detective said that he would just deal with it and move on because it wouldn't get anywhere. The detective told me to think about it.

Soon after, I rejected a meeting that our church attempted between me and the man who raped me and grew depressed. I was also scared, as this man would stalk me around town in an attempt to intimidate.

My dad spoke with a friend of the family who is still a defense attorney in town and he told my dad not to go through with pressing charges. The attorney said that I had already been raped once and that the state court system would just rape me again.

With everyone I respected and trusted telling me not to press charges, I decided to wait.

By October, five months had passed and I was no longer feeling scared. I decided to move ahead with the charges. In March 2004, I was subpoenaed to state court for the preliminary hearing. I was the one that had to sit up on the witness stand for two and a half hours while the defense attorney questioned me and my character. It was me up there on the stand and not the man who raped me. That was yet again another horrible ordeal in this whole experience. It was a courtroom full of my family and his, and once again a bunch of people from town I had known my whole life. I was made to feel ashamed.

A few weeks after the preliminary hearing, I was contacted for a meeting at the District Attorney's office. They told me that in a routine state police clean-up, all of my evidence had been destroyed so it was now a he-said, she-said case and they were advising me to drop the charges. I asked them what had happened since they told me that I had up to seven years to change my mind. The District Attorney said that because I had initially decided not to press charges, everything had been destroyed.

I have not been able to stand up for myself-until now. Amnesty International has given me support and the opportunity to speak up not only for myself but also in some way for many Native American sexual assault survivors, who can not be here today to share their stories. There are many discriminatory and jurisdictional barriers to effective law enforcement response, getting rape kits and prosecution in Oklahoma. My story is just one of many. I urge you to learn more about stopping sexual assault against Native American women.

Thank you.